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Committee on Economic, Social and Cultural Rights

Concluding observations on the fifth periodic report of Sri Lanka*

1. The Committee considered the fifth periodic report of Sri Lanka (E/C.12/LKA/5) at its 25th and 26th meetings (see E/C.12/2017/SR.25 and 26), held on 8 and 9 June 2017, and adopted the present concluding observations at its 47th meeting, held on 23 June 2017.

A. Introduction

2. The Committee welcomes the periodic report submitted by the State party and the supplementary information provided in the replies to the list of issues. It regrets that the latter were not submitted within the deadline required. The Committee also appreciates the highly constructive, frank and informative dialogue held with the State party's high-level intersectoral delegation, as well as the additional written information sent by the State party following the dialogue.

B. Positive aspects

3. The Committee welcomes the ratification of:

(a) The Convention on the Rights of Persons with Disabilities and the Optional Protocol thereto, both in 2016;

(b) The International Convention for the Protection of All Persons from Enforced Disappearance, in 2016;

(c) The Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, in 2015;

(d) The International Labour Organization Employment Policy Convention, 1964 (No. 122), in 2016.

4. The Committee welcomes the adoption of the nineteenth amendment to the Constitution, which restored the power of the Constitutional Council to recommend appointments to the senior judiciary and key independent institutions, including the Human Rights Commission of Sri Lanka.

5. The Committee welcomes the State party's co-sponsorship of Human Rights Council resolutions 30/1 on promoting reconciliation, accountability and human rights in Sri

* Adopted by the Committee at its sixty-third session (29 May-23 June 2017).

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Lanka and the standing invitation issued in 2015 to all thematic special procedure mandate holders of the Council.

6. The Committee welcomes the State party's efforts to promote the implementation of economic, social and cultural rights, including:

(a) The successive national human rights action plans covering the periods of 2011-2016 and 2017-2021;

(b) The national policy on durable solutions for conflict-affected displacement in 2016;

(c) The establishment of the Ministry of Hill Country New Villages, Infrastructure and Community Development in 2015;

(d) The decision to sing the national anthem in both Sinhala and Tamil on Independence Day, for the first time since the early 1950s.

C. Principal subjects of concern and recommendations

Domestic application of the Covenant

7. The Committee is concerned that at present most economic and social matters relevant to the individual or groups are confined to Chapter VI of the Constitution, entitled "Directive principles of State policy and fundamental duties". As stipulated in article 29 of the Constitution, these directive principles do not confer or impose legal rights or obligations and are not enforceable in any court or tribunal. The Committee notes that "the Supreme Court, through the constitutional equality principle, has derived the right to education from the directive principles, but that jurisprudence has so far not led to the establishment of a comprehensive catalogue of judicially enforceable economic, social and cultural rights".

8. **The Committee recommends that the State party capitalize on the national momentum and expedite its Constitutional reform process. It also recommends that this reform include the adoption of a comprehensive Bill of Rights that fully incorporates economic, social and cultural rights, bearing in mind the indivisibility and interdependence of all human rights. The Committee encourages the State party to take into account the submissions of the Human Rights Commission to the Public Representations Committee on Constitutional Reform in this regard. The Committee draws the State party's attention to its general comment No. 9 (1998) on the domestic application of the Covenant.**

9. The Committee is concerned that the Human Rights Commission of Sri Lanka does not have sufficient financial, physical and human resources, that its potential in advising on legislative processes remains underutilized and that its investigative powers are restricted to the fundamental rights chapter of the Constitution and therefore do not extend to cases of alleged violations of rights under the Covenant.

10. **The Committee recommends that the Human Rights Commission of Sri Lanka be established as an independent body under the new Constitution and that its mandate be extended so that its investigative powers also cover economic, social and cultural rights. It also recommends that the State party take measures to ensure that the Commission has sufficient resources and that its recommendations are duly considered by the relevant State bodies. The Committee encourages the State party to ensure that the Commission seeks re-accreditation by the Subcommittee on Accreditation of the Global Alliance of National Human Rights Institutions.**

Independence of the judiciary

11. While recognizing the current efforts of the State party to strengthen the judiciary, the Committee is concerned that several decades of armed conflict have eroded the independence, impartiality and competence of the judiciary. It is also concerned that not all segments of society are duly represented in the judiciary, at different levels.

12. **The Committee encourages the State party to take into account the recommendations of the 2017 report of the Special Rapporteur on the independence of judges and lawyers on her mission to Sri Lanka (A/HRC/35/31/Add.1), in order to ensure that the judiciary is fully independent and duly representative.**

Non-discrimination

13. The Committee is concerned that the State party has not yet adopted a comprehensive anti-discrimination law. It also notes with concern that although the Constitution establishes the principle of equality and non-discrimination under article 12 (2), prohibiting discrimination on the grounds of race, religion, language, caste, sex, political opinion and place of birth, it does not include the grounds of colour, national or ethnic origin, disability, sexual orientation or gender identity (art. 2).

14. **The Committee recommends that the State party adopt a comprehensive anti-discrimination law, in accordance with article 2 of the Covenant. It also recommends that it expand the non-discrimination clause in article 12 (2) of the Constitution to include, inter alia, the grounds of colour, national or ethnic origin, disability, sexual orientation or gender identity. The Committee draws the State party's attention to its general comment No. 20 (2009) on non-discrimination in economic, social and cultural rights.**

15. The Committee, while welcoming the National Plan of Action for the Social Development of the Plantation Community (2016-2020), is concerned that the Up-country community (or so-called "plantation Tamils") suffer from direct and indirect discrimination (including caste-based) with regard to most Covenant rights, including high levels of poverty, poor working conditions, inadequate housing conditions, lack of access to health care, lack of quality education and high dropout rates, child labour and a lack of citizenship or identity documents (arts. 2, 7 and 11-13).

16. **The Committee recommends that the State party take steps to prioritize the implementation of the National Plan of Action for the Social Development of the Plantation Community, in particular to eradicate poverty, ensuring adequate water and sanitation, expediting measures foreseen to construct individual houses for persons living in line rooms (accommodation in the tea plantations, in which 6 to 24 rooms are lined up together, each housing between 6 and 11 family members), addressing child malnutrition and ensuring access to quality health care.**

17. The Committee is concerned that consensual same-sex sexual conduct continues to be criminalized. It is concerned that discrimination against lesbian, gay, bisexual, transgender and intersex persons is widespread, including in law enforcement, employment, health care, housing and education, and that lesbian, gay, bisexual, transgender and intersex persons have been subjected to threats and attacks on social media on the basis of their sexual orientation or gender identity (art. 2).

18. **The Committee urges the State party to amend the Penal Code with a view to decriminalizing consensual same-sex sexual conduct. It recommends that the State party take urgent steps to combat and prevent violence against lesbian, gay, bisexual, transgender and intersex persons, and to ensure their equal enjoyment of all human rights, in particular their right to health, education, work and housing. It also recommends that the State party develop and implement training programmes to educate and sensitize law enforcement officers, teachers, health-care workers and public employees on issues affecting lesbian, gay, bisexual, transgender and intersex persons.**

19. The Committee is concerned that the State party has not established a national legal framework for refugees and asylum seekers. The Committee is concerned that asylum seekers and refugees in the State party do not have the right to employment or access to nationally available basic services, such as education (arts. 2, 6 and 12-13).

20. **The Committee recommends that the State party provide access to the labour market, social assistance, public education and health services for refugees and asylum seekers. It recommends that the State party put in place a national legal**

framework for refugees and asylum seekers and accede to the 1951 Convention relating to the Status of Refugees. The Committee draws the attention of the State party to its statement entitled "Duties of States towards refugees and migrants under the International Covenant on Economic, Social and Cultural Rights" (2017).

Progressive realization and maximum available resources

21. The Committee is concerned that the fiscal revenues of the State have diminished as a percentage of the gross domestic product (GDP) and that the tax system remains regressive. The Committee is also concerned about the low level of public expenditures for the social protection programmes, and the significant cuts in the education and health sectors in the 2017 budget. The budgetary allocations in these areas are not commensurate with GDP growth. The Committee is concerned that this constitutes a retrogression that does not meet all the criteria for austerity measures laid down in the 2012 letter of the Committee to State parties (art. 2).

22. **The Committee recommends that the State party make its fiscal system more equitable and significantly increase its fiscal revenues, to make possible a rise in public spending on social services, particularly in the areas of social protection, health and education, in line with its obligation under article 2 (1) of the Covenant to progressively realize the rights contained therein. Any retrogression measures are acceptable under exceptional circumstances of economic hardship, providing, however, that they are temporary, non-discriminatory, proportional and do not affect disadvantaged and marginalized persons and groups.**

Equality between men and women

23. The Committee is concerned that the participation of women in political and public life and in decision-making remains very low, despite the establishment by law in 2016 of a 25 per cent quota for women in local government bodies. It is also concerned at the persistence of patriarchal attitudes and stereotypes in society (art. 3).

24. **The Committee recommends that the State party take steps to promote women's full and equal participation in decision-making at the national and local levels and to strengthen public awareness with a view to countering discriminatory stereotypes regarding the roles of women in the family and in society.**

Right to work

25. The Committee is concerned about the low participation of women in the labour market and that women tend to be employed in low-paying jobs in tea plantations and the garment sector (art. 6).

26. **The Committee recommends that the State party take steps to empower women, through gender-sensitive labour policies, adequate training and re-training in order to enhance their access to the labour market, and to effectively address sociocultural barriers that may have a negative impact on women's opportunities for employment, particularly in sectors with high wage levels.**

27. The Committee is concerned about the low employment ratio of persons with disabilities and that the officially set quota is not met (art. 6).

28. **The Committee recommends that the State party take steps to increase the employment of persons with disabilities, by implementing the established 3 per cent quota in government positions for persons with disabilities, extending it also to the private sector; and to ensure that vocational training programmes are of adequate quality, accessibility and relevance, and respond to the needs of the labour market as well as through guaranteeing physical accessibility of work places.**

Right to just and favourable conditions of work

29. The Committee is concerned about the very large size of the informal economy, which is characterized by low wages and a lack of social security. The Committee is concerned that workers in the formal public and private sectors are increasingly hired

through third party agencies, which for permanent workers results in lower wages, fewer benefits and exclusion from unions. It is also concerned about the limited number of labour officers and inspectors in the industrial and service sectors, and a lack of dedicated resources for effective monitoring and inspections (art. 7).

30. **The Committee recommends that the State party take steps to progressively regularize the informal economy, while ensuring that workers in the informal economy enjoy their economic, social and cultural rights, in particular adequate wages and social security, and may join trade unions. It also recommends that the State party increase the number of labour inspectors. The Committee draws the State party's attention to ILO Recommendation No. 204 (2015) concerning the transition from the informal to the formal economy.**

31. The Committee is concerned that, despite the amendments to the National Minimum Wage of Workers Act in 2016, the minimum amounts for the monthly wage and daily rate are not sufficient to ensure a decent living and the Act does not provide for a mechanism for effective enforcement and periodic revision of the minimum wage. The Committee is also concerned that the Act does not cover workers in the informal economy, those not unionized, those on daily wages (for example plantation workers) and domestic workers (art. 7).

32. **The Committee urges the State party to systematically review the national minimum wage with a view to setting it at a level sufficient to provide all workers and their families with a decent living. It also recommends that the State party ensure that workers in the informal economy are covered by the minimum wage.**

Right to form and join trade unions

33. The Committee is concerned about reports that union activists and officials remain subject to harassment and retaliation, including transferral or unfair dismissal. It is also concerned that the constitutional right to join a trade union is limited to citizens of the State party (art. 8).

34. **The Committee recommends that the State party ensure that workers enjoy their trade union rights without undue restrictions or interference, and urges it to effectively investigate all allegations of violations of trade union rights. It also recommends that the State party take steps to ensure that migrant workers have the right to join trade unions freely and to take part in trade union activities.**

Social security

35. The Committee is concerned that the allowances of the main social assistance programme, Samurdhi, are insufficient and that mandatory deductions are imposed, such as in the case of savings, which lowers the allowances paid. The Committee is also concerned about reports that the State party envisages a reduction in the number of recipients by 10 per cent annually from the end of 2017 and that reforms of the current social protection system include exit incentives through the offering of livelihood loans at 5 per cent interest, which will increase the risk of debt burdens (art. 9).

36. **The Committee recommends that the State party, through its reforms of the social protection system, ensure universal social security coverage and sufficient benefits for all persons, including those from the most disadvantaged and marginalized groups, so that they may enjoy a decent standard of living; and that it set a social protection floor that includes basic social security guarantees. It draws the attention of the State party to its general comment No. 19 (2007) on the right to social security and its statement on social protection floors (2015).**

37. The Committee is concerned that the compulsory welfare insurance scheme operated by the Sri Lanka Bureau of Foreign Employment does not cover certain costs that may be incurred by migrant domestic workers in receiving countries, including medical expenses within receiving countries, illness or injury sustained in escaping from abusive work situations, and sexually transmitted diseases, including HIV. The Committee is also concerned that the two-year period of insurance coverage may result in migrant workers not

being covered due to their inability to travel back to re-register with the Sri Lanka Bureau of Foreign Employment (arts. 7 and 9).

38. **The Committee recommends that the State party take urgent steps to extend the health coverage of the compulsory welfare insurance scheme operated by the Sri Lanka Bureau of Foreign Employment to ensure that migrant domestic workers are adequately covered for health-care expenses in receiving countries. It also recommends that the State party take steps to ensure that migrant domestic workers are not left without insurance coverage after the two-year insurance coverage period for reasons beyond their control.**

Sexual and gender-based violence

39. The Committee is concerned that the incidence of sexual and gender-based violence, including domestic violence, remains high and is increasing, and that marital rape is not a punishable offence. It is also concerned that support services and redress mechanisms remain suboptimal, as a consequence of an insufficient number of Tamil-speaking female staff in the bureaux for the prevention of abuse of children and women in the north and east, and an insufficient number of safe houses across the country. The Committee is concerned about particularly high risks facing displaced girls and women (art. 10).

40. **The Committee recommends that the State party ensure that the national legal framework offers effective protection against sexual and gender-based violence, including through the criminalization of marital rape. It recommends that the State party effectively implement the national plan of action to address sexual and gender-based violence 2016-2020 by increasing the number and improving the accessibility of shelters and ensuring that victims are not denied the right to make complaints in Tamil, for example by offering interpretation at police desks, in government departments and at desks in hospitals for victims of gender-based violence. The Committee also recommends that the State party intensify public awareness efforts to address discriminatory stereotypes against women and gender-based violence.**

Protection of children

41. The Committee is concerned that child or early marriages are allowed under the Muslim Marriage and Divorce Act (art. 10).

42. **The Committee recommends that the State party amend the Muslim Marriage and Divorce Act and Marriage Registration Ordinance to prohibit child marriages, and eliminate practices that encourage child marriages, including through awareness-raising and engagement with religious leaders.**

43. The Committee is concerned about the high incidence of child abuse, including cruelty against children, neglect, sexual abuse and harassment. It is also concerned that, despite significant progress made, children remain employed as street vendors, in domestic service, in agriculture, mining, construction, manufacturing, transport and fishing (arts. 7 and 10).

44. **The Committee recommends that the State party urgently adopt the draft national child protection policy, create a comprehensive child protection system and prioritize the implementation of the national child protection programme adopted in 2017, ensuring sufficient mechanisms for children to report domestic violence or abuse and providing dedicated capacities in police stations to handle abuse complaints. It also recommends that the State party intensify efforts to eliminate child labour, in particular by implementing the national policy to end child labour adopted in 2017.**

Poverty

45. The Committee is concerned that, although poverty has decreased, a large proportion of the population lives on less than $1.50 a day, with rising levels of inequality and pockets of severe poverty remain in or near urban areas, the north and east, the estate sector and Monaragala (art. 11).

46. **The Committee recommends that the State party intensify its efforts to eradicate poverty, especially in or near urban areas, the north and east, the estate sector and Monaragala, including through ensuring that young people have access to employment opportunities in the industry and in service sectors, or to continuing education responding to the needs of the labour market.**

Forced evictions

47. The Committee is concerned that since it was launched in 2010, the Urban Regeneration Programme by the Urban Development Authority has led to forced evictions and relocation of around 5,500 families in Colombo, reportedly involving the military, without due process or compensation (art. 11).

48. **The Committee recommends that the State party adopt a legislative framework providing adequate legal protections against forced evictions and relocations for those without secure tenure to land and housing, and provide compensation and redress to those forcibly relocated, taking into account the Committee's general comment No. 7 (1997) on forced evictions and the United Nations basic principles and guidelines on development-based evictions and displacement.**

Land issues

49. The Committee is concerned that although significant areas of land have been released since 2015, the military still controls substantial areas of private and public land in the north and east of the country and continues to engage in commercial activities, including farming, tourism, coffee shops and hotels. The Committee is concerned about the impact of such activities on the fishing and agriculture communities, which in some areas face bans on coastal and freshwater fishing. It is also concerned that the military utilizes freshwater wells of private land under their control, leading to water shortages (art. 11).

50. **The Committee recommends that the State party take measures to map private and public land under the control of the military, ensure its restitution, in line with the recommendation of the Consultation Task Force on Reconciliation Mechanisms and end military involvement in commercial and other civilian activities. The Committee also recommends that the State party establish an independent national land commission and develop a national land policy, in line with the recommendations of the Lessons Learned and Reconciliation Commission.**

Internally displaced persons

51. The Committee is concerned that, despite significant progress made, nearly 42,000 internally displaced persons are still to be resettled, as a result of a failure to release land by the Government, land disputes relating to State occupation, secondary occupation by civilians, loss or damage to land documents, competing claims, landlessness and unregularized land claims. It is also concerned that internally displaced persons in camps face many challenges, including being considered lower caste, harassment in schools, unemployment and insufficient water supply and sanitation facilities. It is further concerned that lands provided to resettled internally displaced persons are in many cases not suitable for agriculture and do not provide access to the coastline, increasing the risk of poverty and malnutrition (arts. 11-13).

52. **The Committee recommends that the State party effectively implement the National Policy on Durable Solutions for Conflict-Affected Displacement (adopted in 2016) and urgently address the factors that impede a resettlement of internally displaced persons. It recommends that the State party provide compensation for destroyed housing and assistance to returnees to enable them to repair or build houses and to ensure that basic infrastructural needs are met, including adequate roads, schools and hospitals where people have been or are to be resettled. The Committee recommends that the State party ensure that internally displaced person living in camps have access to sufficient and safe water and sanitation facilities, electricity, schools and health care. The Committee also recommends that the State party conduct a comprehensive survey of internally displaced persons, including identifying**

the current status of different communities with respect to durable solutions, including the Muslims from the Northern Province.

Women-headed households

53. The Committee is concerned that many women-headed households, in particular those in the north and east, are vulnerable to poverty, face food insecurity and lack livelihood opportunities, which increase their vulnerability to exploitation, sexual harassment and violence, including sexual exploitation and bribery by officials (arts. 10-12).

54. **The Committee recommends that the State party urgently adopt and implement the national action plan on women-headed households and ensure that women who head households have access to livelihood assistance, housing and land in their own name, as well as low-interest or interest-free credit schemes. It also urges the State party to ensure that officials who commit sexual exploitation, bribery and harassment are prosecuted and sentenced, and victims have access to remedy and compensation.**

Right to food

55. The Committee is concerned about the high levels of malnutrition and wasting, with the State party having one of the highest wasting prevalence rates in the world (ranking 128 out of 130), caused by physical and financial barriers, rising food prices, income inequality, poor infrastructure, a high proportion of the labour force engaged in the informal sector, gender inequality, land degradation, urbanization, population ageing and climate change. The Committee also notes with concern that a severe drought and heavy rainfalls in 2016 and early 2017 have affected many cropping areas, threatening the food security of some 900,000 people (art. 11).

56. **The Committee recommends that the State party take urgent measures to improve the nutritional security of its population, paying specific attention to children, pregnant and lactating women, especially those in conflict-affected districts and in the plantation sector, and to prioritize investments in climate resilient agriculture. It also recommends that the State party urgently adopt and implement the national action plan to reduce wasting and stunting (2017-2020). The Committee further recommends that the State party take adequate measures to effectively address the situation of victims of the severe drought and heavy flooding that took place in 2016 and 2017.**

Right to health

57. The Committee is concerned that the public health-care system is characterized by a very low and decreasing expenditure as a percentage of GDP, regional disparities in health-care infrastructure, long waiting lists for specialist care, high out-of-pocket health expenses, high prices of medicines and expensive private medical care. It is also concerned that persons with disabilities face challenges in accessing health services and information (art. 12).

58. **The Committee recommends that the State party take steps, in particular within its National Health Strategic Master Plan for 2016-2025, to address regional disparities in health-care infrastructure and ensure affordable and accessible public health care. It also recommends that the State party significantly increase its budget for public health care, taking into account the fast-growing ageing population and strengthen the community-based rehabilitation programme for persons with disabilities and ensure its coordinated implementation, including with the Ministry of Health, Nutrition and Indigenous Medicine.**

59. The Committee is concerned that, despite measures taken, the mental health-care system is inadequate and insufficiently available and accessible, while the need for mental health and psychosocial services is acute for many, in particular those in conflict-affected areas who suffer from conflict-related post-traumatic disorders (art. 12).

60. **The Committee recommends that the State party intensify its measures to ensure that mental health care is available, accessible, timely and adequate, including through increasing funding, ensuring that there is a sufficient number of trained mental health professionals, decentralizing care provision, addressing regional disparities in service provision, improving referral systems and ensuring social protection for families and patients. It recommends that the State party ensure the provision of systematic programmes for promotion of mental health and psychosocial well-being at the community level. The Committee also recommends that the State party urgently adopt the mental health policy under development by the Ministry of Health, Nutrition and Indigenous Medicine.**

61. The Committee is concerned about the high use of agrochemicals in the State party, seriously affecting the health of farming communities. It also notes with concern that while glyphosate pesticide was officially banned in 2015 in the State party, it is still used in plantations (art. 12).

62. **The Committee recommends that the State party urgently address the very high use of agrochemicals, take steps to enforce the ban of glyphosate in all sectors, extend the ban to cover all agrochemicals that adversely affect the health of the population and the environment and carry out effective and frequent inspections.**

Education

63. The Committee is concerned that, despite concerted efforts made, regional disparities remain in school infrastructure, availability of water and electricity in educational institutions, deployment of trained educational personnel, curriculum contents and transport of pupils. These disparities lead to differences in access to and quality of education. The Committee is also concerned about the hidden financial costs of schooling, in particular donations for school admittance that constitute de facto bribes burdening low-income and underprivileged households with additional costs. It is furthermore concerned at the commodification of education (art. 13).

64. **The Committee recommends that the State party take urgent steps to address regional disparities in education, improve educational standards, technical and infrastructural facilities, as well as the availability of qualified teachers (including Tamil-speaking teachers), in particular in conflict-affected areas. It urges the State party to significantly increase its public spending on education and establish the envisaged education inspectorate. The Committee also urges the State party to address the hidden financial costs of the public education system, ensuring its affordability and eliminating the practice of donations for school admittance.**

65. The Committee is concerned that many children with disabilities still do not receive primary, secondary and university education (enrolment rates are 34.6 per cent, 33.8 per cent and 1.3 per cent, respectively) and that persons with disabilities in higher education face difficulties in accessing facilities and information and that their choice of subjects is limited (art. 13).

66. **The Committee recommends that the State party intensify its efforts to ensure that all children with disabilities have access to and receive quality inclusive education.**

Cultural rights

67. The Committee is concerned that the Official Languages Law and the National Trilingual Policy are not effectively enforced and that State offices and government departments do not have adequate capacity to communicate with Tamil-speaking citizens in their native language and thus to provide fair and equal access to State services. It is also concerned that less than 1 per cent of schools offer teaching in all three languages and that there is a shortage of Tamil-language teachers, especially in the hill country (art. 15).

68. **The Committee recommends that the State party take immediate steps to ensure effective implementation of the Official Languages Law and National Trilingual Policy, through a sufficient number of Tamil-speaking public officials and**

interpreters in every government institution, including at the provincial level, and the allocation of adequate financial resources for its implementation.

69. The Committee is concerned at the socioeconomic marginalization of the Veddah people. It is also concerned that the State regulation of land, forest and agriculture, in particular the designation of large tracts of land as national parks and sanctuaries, has had a detrimental impact on the livelihoods and traditional ways of living of the Veddah people and has led to repeated displacement. The Committee is alarmed by the fact that only around 20 per cent of Veddah children attend school, which is a consequence of early marriages (arts. 2 and 15).

70. **The Committee recommends that the State party conduct a comprehensive census that includes the element of the right to free self-identification of the Veddah people and that it address the root causes of their socioeconomic marginalization. It also recommends that the State party ensure that the declaration of land as national parks and sanctuaries is always done in close consultation with those affected, especially the Veddah people. The Committee also urges the State party to ensure that all Veddah children attend school until the end of compulsory school age. The Committee also recommends that the State party ratify the ILO Indigenous and Tribal Peoples Convention, 1989 (No. 169).**

Transitional justice, reparations and economic, social and cultural rights

71. While recognizing the efforts of the State party to adopt mechanisms of transitional justice to provide, among other objectives, reparation to victims of the armed conflict, most of whom are in a situation of poverty, the Committee is concerned that these efforts are not clearly articulated in the different policies aimed at the realization of economic, social and cultural rights.

72. **The Committee recommends that the State party make every effort to ensure that economic, social and cultural rights are integrated into the policies and mechanisms on transitional justice.**

D. Other recommendations

73. **The Committee encourages the State party to ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights.**

74. **The Committee recommends that the State party take fully into account its obligations under the Covenant and ensure the full enjoyment of the rights enshrined therein in the implementation of the 2030 Sustainable Development Agenda at the national level, with international assistance and cooperation when needed. Achievement of the Sustainable Development Goals would be significantly facilitated by the State party establishing independent mechanisms to monitor progress and treating beneficiaries of public programmes as rights holders who can claim entitlements. Implementing the Goals on the basis of the principles of participation, accountability and non-discrimination would ensure that no one is left behind.**

75. **The Committee recommends that the State party take steps to progressively develop and apply appropriate indicators on the implementation of economic, social and cultural rights, in order to facilitate the assessment of progress achieved by the State party in the compliance of its obligations under the Covenant with regard to various segments of the population. In this context, the Committee refers the State party to, inter alia, the conceptual and methodological framework on human rights indicators developed by the Office of the United Nations High Commissioner on Human Rights (HRI/MC/2008/3).**

76. **The Committee requests the State party to disseminate the present concluding observations widely among all levels of society at the national, provincial and local levels, particularly among parliamentarians, public officials and judicial authorities and that it inform the Committee, in its next periodic report, about the steps taken to implement them. The Committee also encourages the State party to engage with non-**

governmental organizations and other members of civil society in the follow-up to the present concluding observations and in the process of consultation at the national level prior to the submission of its next periodic report.

77. **In accordance with the procedure on follow-up to concluding observations adopted by the Committee, the State party is requested to provide, within 18 months of the adoption of the present concluding observations, information on the implementation of the recommendations made by the Committee in paragraphs 8, 50 and 68 above.**

78. **The Committee requests the State party to submit its sixth periodic report, to be prepared in accordance with the reporting guidelines adopted by the Committee in 2008 (see E/C.12/2008/2), by 30 June 2022. It recommends the establishment of a national mechanism for reporting and follow-up, as a standing government structure mandated to coordinate and prepare reports for submission to the international human rights mechanisms and coordinate national implementation of recommendations. The Committee also invites the State party to update its common core document in accordance with the harmonized guidelines on reporting under the international human rights treaties (HRI/GEN/2/Rev.6, chap. I).**